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SIGMUND \$, WI\$SNER-GROSS (SW-0001) MAY ORENSTEIN (MO-2948) BROWN RUDNICK LLP SEVEN TIMES SOUARE NEW YORK, NEW YORK 10036 TELEPH()NE: (212) 209-4800 PACSIMILE: (212) 209-4801 ATTORNEYS FOR PLAINTIFF

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SUPREME FOODSERVICE AG.

Plaintiff.

IHC SERVICES, INC., EZIO TESTA, ANGELITA QUINTEROS, GIANDOMENICO PICCO, TORNO INTERNAZIONALE S.P.A., TORNO S.A.H., DARIO FISCHER, ENGELBERT SCHREIBER, JR., ALLIANCE INVESTMENT DEVELOPMENT LTD., ALEXANDER YAKOVLEV, MOXYCO, LID., VLADIMIR KUZNETSOV, NIKAL, LTI).. DMITRY YAKOVLEV AND OLGA YAKOVLEV.

Defendants.

ES-KO INTERNATIONAL INC...

Plaintiff.

-against-

IHC SERVICES, INC., IHC SERVICES S.R L., EZIO TESTA, ANGELITA QUINTEROS, WILLIAM J. ETHERSON, GIANDOMENICO PICCO, TORNO INTERNAZIONALE S.P.A., TORNO S.A.II., DARIO FISCHER, ENGELBERT SCHREIBER, JR., ALLIANCE INVESTMENT DEVELOPMENT LTD., COGUM S.P.A., CORIMEC ITALIANA S.P.A., ALEXANDER YAKOVLEV, DMITRY YAKOVLEY and JOHN DOES 1 TO 100.

Defendants.

Case No. 06 CV 1759 (PKC)

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Case No. 06 CV 2422 (PKC)

ARE TERMINATED

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel to plaintiff ES-KO International Inc. ("Plaintiff") and defendants Alexander Yakovlev and Dmitry Yakovlev (collectively, the "Defendants") that, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the above-captioned action is hereby dismissed without prejudice as to the Defendants in accordance with the parties' settlement agreement, and without costs or fees to any party. CLOSED, ALL MOTIONS

CASE

Dated: New York, New York

July 8, 2009

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8-19-09